

### **Remarks**

The Office Action dated February 26, 2003, has been received and carefully noted. The amendments made herein and the following remarks are submitted as a full and complete response thereto.

Figure 4 has been amended. No new matter has been added. Accordingly, claims 1-12 are pending in the present application and are respectfully submitted for consideration.

The drawings were objected to under 37 C.F.R. § 1.83(a) because Fig. 4 of the drawings was not properly labeled as -- Prior Art --. Applicants respectfully present replacement Figure 4 properly labeled as --Prior Art--, and which complies with §1.84. Accordingly, Applicants request approval of the drawing changes.

Claims 1, 4, 5, 8, 9 and 12 were rejected under 35 U.S.C. § 102(e) as being anticipated by Moon (U.S. Patent No. 6,501,510B1). Applicants respectfully traverse this rejection and submit that each of claims 1, 4, 5, 8, 9 and 12 recites subject matter that is neither disclosed nor suggested by the cited prior art.

Claim 1 recites a television receiving method having the steps of providing a receiving section for digital television broadcasting and a receiving section for analog television broadcasting, judging, when a digital television broadcasting program is selected, whether or not an analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast, and receiving and outputting, in a case where the analog television broadcasting program having the same contents as those of the selected digital

television broadcasting program is being broadcast, the analog television broadcasting program having the same contents as those of the selected digital television broadcasting program when the digital television broadcasting cannot be received.

Claim 5 recites a television receiver having a receiving section for digital television broadcasting, a receiving section for analog television broadcasting, and switching means for switching an output of the receiving section for digital television broadcasting and an output of the receiving section for analog television broadcasting. In addition, the television receiver includes a means for causing, when a digital television broadcasting program is selected, the receiving section for digital television broadcasting to receive the selected digital television broadcasting program, controlling the switching means so as to select the output of the receiving section for digital television broadcasting, and judging whether or not an analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast, a means for causing, when the analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast, the receiving section for analog television broadcasting to receive the analog television broadcasting program having the same contents as those of the selected digital television broadcasting program, and means for controlling, in a case where the analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast, the switching means so as to select the output of the receiving section for analog television broadcasting.

Claim 9 recites a television receiver substantially similar to the television receiver recited in claim 5 with the exception of having a switching circuit, a circuit for causing, when a digital television broadcasting program is selected, the receiving section for digital television broadcasting to receive the selected digital television broadcasting program, controlling the switching circuit so as to select the output of the receiving section for digital television broadcasting, and judging whether or not an analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast, a circuit for causing, when the analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast, the receiving section for analog television broadcasting to receive the analog television broadcasting program having the same contents as those of the selected digital television broadcasting program, and a circuit for controlling.

Accordingly, at least one of the essential features of the present invention is the step of “judging, when a digital television broadcasting program is selected, whether or not an analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast” with respect to claim 1, and a “means for causing, when a digital television broadcasting program is selected, the receiving section for digital television broadcasting to receive the selected digital television broadcasting program, controlling the switching means so as to select the output of the receiving section for digital television broadcasting, and judging whether or not an analog television broadcasting program having the same contents as

those of the selected digital television broadcasting program is being broadcast" with respect to claims 5 and 9. As such, the present invention results in the advantage of automatically selecting and receiving high quality audio and video analog television broadcast having the same programming content as that of a selected digital television broadcast when the digital television broadcast is disrupted. Thus, this provides a viewer with continuous program viewing without disruptions.

It is respectfully submitted that the prior art fails to disclose or suggest the elements of the Applicants' invention as set forth in claims 1, 4, 5, 8, 9 and 12, and therefore fails to provide the advantages which are provided by the present application.

Moon discloses a digital/analog broadcast signal processing unit. Fig. 1 of Moon shows the digital/analog broadcast signal processing unit having an antenna 101, a tuner 102, a digital broadcast signal demodulator 103, a demultiplexer 104, an audio decoder 105, a video decoder 106, a format converter 107, an audio switching unit 108, an audio signal processor 109, an amplifier 110, a speaker 111, an analog broadcast signal demodulator 112, a video switching unit 113, a TTX processor 114, and a controller 120.

In operation, the antenna 101 of Moon receives a digital broadcast signal or analog broadcast signal from a broadcasting station. The antenna 101 generally receives broadcasting signals transmitted by the broadcasting station through a digital broadcast signal receiving antenna and an analog broadcast signal receiving antenna, but can also receive these signals through a single antenna designed to receive both the analog and digital broadcast signals. When the analog broadcast signal and the

digital broadcast signal are received simultaneously, they are tuned and output to the digital broadcast signal demodulator 103 and the analog broadcast signal demodulator 112, respectively. Furthermore, Moon shows that the program of the control unit 120 can be designed to give priority to the digital broadcast signal when the digital and analog broadcast signals are simultaneously received. When the digital broadcast signal is not detected, a switching control signal to automatically select the analog broadcast signal as the output to the second input port of the audio and video switching units 108 and 113 is generated. Therefore, either the decoded digital broadcast audio signal input via the first input port, or the demodulated analog broadcast audio signal via the second input port is selected by the audio switching unit 108 according to the switching control signal of the controller 120.

Applicants respectfully submit that each and every element recited within claims 1, 5 and 9 is neither disclosed nor suggested by Moon. In particular, Applicants submit that the television receiving method and the television receiver as recited in the present application is clearly distinct from that which is illustrated in the cited prior art. Specifically, it is submitted that the cited prior art fails to disclose or suggest the step of “judging, when a digital television broadcasting program is selected, whether or not an analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast”, and a “means for causing, when a digital television broadcasting program is selected, the receiving section for digital television broadcasting to receive the selected digital television broadcasting program, controlling the switching means so as to select the output of the

receiving section for digital television broadcasting, and judging whether or not an analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast".

Although Moon discloses switching units 108 and 113, Applicants submit that Moon fails to specifically perform the operation of "judging, when a digital television broadcasting program is selected, whether or not an analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast". In fact, Moon merely shows that when a digital broadcast signal is not detected, the switching control signal to automatically select the analog broadcast signal as the output to the second input port of the audio and video switching units 108 and 113 is generated. Consequently, the invention of claims 1, 5 and 9 recites subject that is neither disclosed nor suggested in the cited prior art.

In addition, the Examiner asserted on page 4 of the Office Action that "the claimed means for causing ... is met where when a user selects a channel via key input unit 121, the tuner will receive the analog channel which is processed via tuner 102 and demodulator 112, in addition if a digital signal is also broadcasted for the same channel which is received via tuner 102 and digital processing 1000, the digital signal is selected via controller 120 and video switching unit 113". However, Applicants submit that Moon fails to disclose or suggest the limitation of "judging, when a digital television broadcasting program is selected, whether or not an analog television broadcasting

program having the same contents as those of the selected digital television broadcasting program is being broadcast".

As for claims 4, 8 and 12, Applicants submit that each of these claims recites subject matter which is neither disclosed nor suggested in the cited prior art. In particular, each of claims 4, 8 and 12 depends from claims 1, 5 and 9, respectively. Therefore, each of these claims incorporates each and every limitation recited within claims 1, 5 and 9 therein respectively. Accordingly, Applicants respectfully submit that each of claims 4, 8 and 12 also recites subject matter that is neither disclosed nor suggested by Moon, for at least the reasons set forth above with respect to claim 1, 5 and 9.

Claims 2, 6 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Moon in view of Eyer (U.S. Patent No. 6,483,547 B1). In making this rejection, the Office Action took the position that Moon disclosed each and every element of the claimed invention with the exception of showing that the judgment is made on the basis of channel map information included in additional information sent as a part of broadcasting data relating to the digital television broadcasting. The Office Action cited Eyer for curing the deficiencies which exist in Moon. Applicants respectfully traverse this rejection and submit that each of claims 2, 6 and 10 recites subject matter that is neither disclosed nor suggested by the cited prior art.

Eyer discloses a transmission signal ID for analog television broadcasts. According to Eyer, a received analog television service is positively identified using a transmission signal identifier which is inserted into the analog signal at the transmitted

side, and extracted at the receiver side. Channel map data which is used for identifying counterpart digital programming services is expended to accomplish identification of the analog services. Descriptive information which is specific to the programming services, such as program guide data, can thereby be accurately matched up and displayed with a received analog programming service.

Applicants respectfully submit that each and every element recited within claims 2, 6 and 10 is neither disclosed nor suggested by Moon and/or Eyer, taken alone or in combination. In particular, it is submitted that dependent claims 2, 6 and 10 each depends from independent claims 1, 5 and 9, and therefore each of dependent claims 2, 6 and 10 also recites at least the limitation of "judging, when a digital television broadcasting program is selected, whether or not an analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast". As mentioned above, Eyer merely discloses a transmission signal ID for an analog television broadcasts whereby a received analog television service is positively identified using a transmission signal identifier which is inserted into the analog signal at the transmitted side, and extracted at the receiver side. It is submitted that Eyer does not show the limitation above, and therefore Eyer fails to cure the deficiencies which exist in Moon. Accordingly, Applicants submit that claims 2, 6 and 10 each recites subject that is neither disclosed nor suggested in the combination of cited prior art.

Claims 3, 7 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Moon in view of Yuen et al. (U.S. Patent No. 6,252,634 B1,



hereinafter "Yuen"). In making this rejection, the Office Action took the position that Moon disclosed each and every element of the claimed invention with the exception of showing the judgment as being made on the basis of channel map information previously stored in a storage device at the time of shipment from a factory. The Office Action cited Yuen for curing the deficiencies which exist in Moon. Applicants respectfully traverse this rejection and submit that each of claims 3, 7 and 11 recites subject matter that is neither disclosed nor suggested by the cited prior art.

Yuen discloses a method and apparatus for transmitting and downloading setup information. Multiple channel maps of Yuen are embedded in a television transmission and the appropriate channel map corresponding to the particular television service used by the viewer is downloaded for use with the television receiver. Each channel map is accompanied by a channel map identifier which identifies the source of the television transmission and geographic identifier. The source of the television transmission is automatically detected by monitoring the radio-frequency spectrum allocations of telecast stations. The geographic area identifier is determined by comparison with a user-inputted geographic area identifier. The channel map having a channel map identifier corresponding to the detected television transmission source and the user inputted geographic area identifier is downloaded and stored for future use.

Applicants respectfully submit that each and every element recited within claims 3, 7 and 11 is neither disclosed nor suggested by Moon and/or Yuen, taken alone or in combination. In particular, it is submitted that dependent claims 3, 7 and 11 each depends from independent claims 1, 5 and 9, and therefore each of dependent claims

3, 7 and 11 also recites at least the limitation of "judging, when a digital television broadcasting program is selected, whether or not an analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast". As mentioned above, Yuen merely discloses a method and apparatus for transmitting and downloading setup information. It is submitted that Yuen does not show the limitation above, and therefore Yuen fails to cure the deficiencies which exist in Moon. Accordingly, Applicants submit that claims 3, 7 and 11 each recites subject that is neither disclosed nor suggested in the combination of cited prior art.

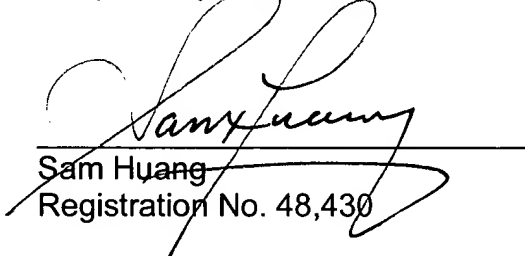
In addition, Applicants submit that Yuen fails to disclose or suggest that the judgment is made on the basis of channel map information previously stored in a storage device at the time of shipment from a factory. As mentioned above, Yuen merely discloses that the channel map having a channel map identifier is downloaded and stored for future use. Accordingly, it is submitted that the teaching of Yuen is significantly different from that which is claimed in the claimed invention, and claims 3, 7 and 11 each recites subject that is neither disclosed nor suggested in the combination of cited prior art.

In view of the above, Applicants respectfully submit that claims 1-12, each recites subject matter that is neither disclosed nor suggested in the cited prior art. Applicants also submit that the subject matter is more than sufficient to render the claims non-obvious to a person of ordinary skill in the art, and therefore respectfully request that claims 1-12 be found allowable and that this application be passed to issue.

If for any reason, the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper has not been timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 107314-00013.**

Respectfully submitted,



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Enclosures: Petition for Extension of Time (one month)  
Replacement Fig. 4